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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Wednesday, the Second day of August Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice KRISHNAN RAMASAMY

CMP(MD). No.2,3 of 2023
and
CMP(MD). No.9605,9607 of 2023
in
SA(MD)No.81,82 of 2008

Nallusamy
Vs

... Petitioner/ Appellant in all petitions

1 Sri Ramulu

2 Seetha Raman

3 Thulasi Raman(Died)

4 Saraswathi

5 Ramalingam(Died)

6 Radhakrishnan

7 Purusothaman

8 Ammaiyakkal

9 Vempayi

10 Chellamuthu

<https://www.mhc.tn.gov.in/judis>

11 Ravichandran



12 Arukkani

13 Rukmani

14 Prema

15 Kala @ Sasikala

16 Skunthala

17 Dhanalakshmi

18 Tsivaramakrishnan

19 Thiruvenkada Madhavan

20 Andal ... Respondent/Respondent in all petitions

Prayer in CMP(MD). 2/ 2023 :-

This Miscellaneous Petition filed under section 5 of Limitation Act to condone the delay of 1 day in filing the application in C.M.P.(MD).SR.No.16529 of 2019 to restore the above second appeal in S.A.(MD).No.81 of 2008 and thus render justice.

Prayer in CMP(MD). 3/ 2023 :

This Miscellaneous Petition filed under section 5 of Limitation Act to condone the delay of 1 day in filing the application in C.M.P.(MD).SR.No.16530 of 2019 to restore the above second appeal in S.A.(MD).No.82 of 2008 and thus render justice.

Prayer in CMP(MD). 9605/ 2023 :

This Miscellaneous Petition filed under Order 41 , Rule 19 of CPC to restore the above second appeal in S.A(MD).No.81 of 2008 which was dismissed for default on



12-03-2019 and pass such other orders as this Honourable Court deems fit and proper in the circumstances of the case, and thus render justice.

Prayer in CMP(MD). 9607/ 2023 :

This Miscellaneous Petition filed under Order 41 , Rule 19 of CPC to restore the above second appeal in S.A(MD).No.82 of 2008 which was dismissed for default on 12-03-2019 and pass such other orders as this Honourable Court deems fit and proper in the circumstances of the case, and thus render justice.

Prayer in SA(MD). 81/ 2008 :

This Grounds of Second Appeal filed under Section 100 of CPC the Appellant above named begs to prefer this Memorandum of SA against the Judgment and Decree passed in AS.149/1993 on the file of the Sub Court, Karur dated 29/09/2006 confirming the Judgmentf and Decree passed in OS.944/1991 on the file of the District Munsif Court, Karur 30/06/1993.

Prayer in SA(MD). 82/ 2008 :

This Grounds of Second Appeal filed under Section 100 of CPC the Appellant above named begs to prefer this Memorandum of SA against the Judgment and Decree passed in AS.150/1993 on the file of the Sub Court, Karur dated 29/09/2006 confirming the Judgment and Decree passed in OS.1168/1991 on the file of the District Munsif Court, Karur 30/06/1993.



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ORDER:- This Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Ms. R. Balakrishnan, Advocate for the Petitioner, this Court made the following order:

It is seen that the conditional order dated 07.07.2023 passed in C.M.P(MD) Nos.2 and 3 of 2023 have been been complied with and cost memos are filed. Hence, C.M.P(MD)Nos.2 and 3 of 2023 are allowed. Since C.M.P(MD)Nos.2 and 3 of 2023 are allowed, the connected CMP(MD)Nos.9605 and 9607 of 2023 are allowed and the second appeals are restored.

Sd/-

Assistant Registrar(CS I)

// True Copy //

/08/2023

Sub Assistant Registrar(CS)

TO

1. THE SUBORDINATE JUDGE, KARUR
2. THE DISTRICT MUNSIF ,KARUR

Copy to:

- 1.The Section Officer,Judicial Section,
Madurai Bench of Madras High Court,
Madurai.



2.The Section Officer,V.R. Section,
Madurai Bench of Madras High Court,
Madurai.

Hon`ble Mr.Justice
KRISHNAN RAMASAMY

ORDER DATED : 02/08/2023

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ORDER
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CMP(MD). No.2,3 of 2023
and
CMP(MD). No.9605,9607 of 2023
in
SA(MD)No.81,82 of 2008

MGJ(21.08.2023) 5P 6C

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